

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office SEP 13 1988

Returned to applicant for correction _____

Corrected application filed _____

Map filed OCT 16 1987 under 51183

The applicant Simplot Land and Cattle Company

HC-85, Box 275, of Grandview,
Street and No. or P.O. Box No. City or Town

Idaho 83624, hereby make^s application for permission to appropriate the public
State and Zip Code No.

waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a
copartnership or association, give names of members.) May 28, 1985 - Idaho

1. The source of the proposed appropriation is Cummings Spring
Name of stream, lake, spring, underground or other source

2. The amount of water applied for is 0.05 cfs second-feet
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet _____

3. The water to be used for Stock water and Domestic
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.

4. If use is for:

(a) Irrigation, state number of acres to be irrigated _____

(b) Stockwater, state number and kinds of animals to be watered 1,000 cattle

(c) Other use (describe fully under "No. 12. Remarks") _____

(d) Power:

(1) Horsepower developed _____

(2) Point of return of water to stream _____

5. The water is to be diverted from its source at the following point within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 32,
Describe as being within a 40-acre subdivision of public

T 36 N, R 69 E, MDM, from which the SE corner of said section bears S 6° 15' E
survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.

2,890 feet distance

6. Place of use SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 32, T 36 N, R 69 E, MDM
Describe by legal subdivision. If on unsurveyed land, it should be so stated.

7. Use will begin about January 1 and end about December 31, of each year.
Month and Day Month and Day

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
specifications of your diversion or storage works.) protect spring from livestock compaction,
State manner in which water is to be diverted, i.e. diversion structure, ditches and
minor excavation work to enhance flow from source
flumes, drilled well with pump and motor, etc.

9. Estimated cost of works \$300.00

10. Estimated time required to construct works..... one year
 If well completed, describe works.....

11. Estimated time required to complete the application of water to beneficial use..... three years

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Please send copies of all notices and correspondence to undersigned agent

Map filed in support of applications 51185 and 51186 is to be used in support

of the new applications, assigned to current applicant by documents previously

submitted

By..... /s/ William A. Nisbet

Agent

421 Court

Elko, Nevada 89801

Compared..... kh/ se bp/se

Protested 12-15-88 by U.S. Dept of Interior-BLM

Pro. Overruled 04/25/90

See Ruling # 3702

APPROVAL..... OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all existing rights on the source. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the period of use and the average number of livestock served from the waters of this source. The State retains the right to regulate the use of the water herein granted at any and all times but does not take responsibility for the use of the Federal range.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

This permit is subject to the condition that the permittee must ensure that wildlife which have customarily used such water will have access thereto, NRS 533.367.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed..... 0.03125..... cubic feet per second, or sufficient to water 1,000 head of cattle.

Work must be prosecuted with reasonable diligence and be completed on or before..... June 1, 1991

Proof of completion of work shall be filed on or before..... July 1, 1991

Application of water to beneficial use shall be made on or before..... June 1, 1993

Proof of the application of water to beneficial use shall be filed on or before..... July 1, 1993

Map in support of proof of beneficial use shall be filed on or before..... N/A

Completion of work filed..... JUL 16 1991 IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.

Proof of beneficial use filed..... Jul 16, 1991 State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this..... 1st..... day of..... June.....

Cultural map filed.....

Certificate No. 13007 Issued..... SEP 12 1991

A.D. 19..... 90.....

[Signature]
 State Engineer